

MINUTES OF MEETING  
SOUTHEAST CASS WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JUNE 18, 2014

The Southeast Cass Water Resource District met on June 18, 2014, at 8:30 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Dan Jacobson, Manager; Lance Yohe, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Chad Engels and Kurt Lysne, Engineers for the Board; Brady Woodard and Matt Hildreth, Moore Engineering, Inc.; Jacob Gust, Sheyenne-Maple Flood Control District #1 Superintendent; Vern Bennett, Cass County Commissioner; Bob Backman, River Keepers; Brett Odegaard and Steve Brekke, Pleasant Township; Mike Staber, American Enterprises; Roger Haberman, Industrial Builders, Inc.; Bruce Brand, property owner in Stanley Township; and Gordon Engen, farmland operator in Warren Township . Manager Mark Brodshaug was absent.

**Minutes**

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to approve the minutes of the May 21 and May 29, 2014, meetings.

**Approval of agenda**

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to approve the order of the agenda, as amended.

**West Fargo 3rd Addition**

Mike Staber said the City of West Fargo is interested in straightening 12th Avenue North for safety purposes, which would require Lot 3 in West Fargo 3rd Addition. The Board previously approved a *Purchase Agreement* to purchase the lot from MJB Development, Ltd. It was moved by Manager Yohe and seconded by Manager Jacobson to cancel the previously approved *Purchase Agreement* with MJB Development, Ltd. for Lot 3 in West Fargo 3rd Addition. Upon roll call vote, the motion carried unanimously.

**Drain #47 slide repair in Sections 10 and 11 of Pleasant Township**

Brady Woodard distributed maps showing slide areas on Drain #47 in Sections 10 and 11 of Pleasant Township. He presented an *Engineer's Opinion of Probable Cost* to repair Site 1 in Section 10. The slide is close to the road and may become a safety issue in the future.

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize Moore Engineering, Inc. to develop plans for the slide repair at Site 1 on Drain #47 in Section 10 of Pleasant Township and to solicit quotes from local contractors to do the work necessary. Upon roll call vote, the motion carried unanimously.

#### **Inspections of Southeast Cass Water Resource District facilities**

Mr. Woodard informed the Board that the inspection of Southeast Cass Water Resource District facilities has been completed. He will provide a summary of the inspection at the next meeting.

#### **Drain #10 south of 32nd Avenue North**

Mr. Woodard was contacted by Industrial Builders, Inc. regarding the removal of spoil bank material along Drain #10 south of 32nd Avenue North in Fargo. Roger Haberman, Industrial Builders, Inc., said they would be willing to remove all of the material and would take care of storm water requirements and seeding. Mr. Engels said removing the spoil bank would not be a flood risk issue, as the spoil is not in place for flood protection purposes. He added that Southeast Cass Water Resource District has not paid a contractor to remove spoil in the past; however, removal of the material would be advantageous to the drain.

The Board directed Moore Engineering, Inc. to look into the quantity of material along the drain and future reconstruction needs on the drain and report back at a future meeting.

#### **Drain #21 Improvements**

Mr. Engels reported on a meeting with the City of West Fargo regarding Drain #21 Improvements. The city indicated they are reviewing options and will be in contact with the Water Resource District on the matter in the near future.

#### **Drain #21C – cleanout**

Gordon Engen met with the Board regarding silt buildup in Drain #21C. Mr. Engels said the drain was deepened and widened in Section 1 of Warren Township, but cleaning the length of the drain has been postponed due to the proposed alignment of the Metro Flood Diversion Project.

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize Moore Engineering, Inc. to look into cleaning Drain #21C in Sections 23 and 26 of Warren Township. Upon roll call vote, the motion carried unanimously.

#### **Drain #45 Improvements**

Mr. Engels provided an update of the Drain #45 Improvements and said preliminary cost-estimates for the project will be presented at a future meeting for the Board's review.

### **Drain reassessments**

Sean Fredricks said the appeal period regarding the consolidation of Drains #3, #9 and #10 into the Drain SC-1 District expires later this month. The Board discussed holding the public hearing on the matter on August 13, 2014.

### **Application to Install a Subsurface Drain #20146 for Bruce Brand in the NE 1/4 of Section 28 in Stanley Township**

Mr. Engels reviewed *Application to Install Subsurface Drain #20146* for Bruce Brand in the NE 1/4 of Section 28 in Stanley Township. *Thirty-Day Notices* have been sent out to downstream landowners.

### **Recreational Plan on Southeast Cass Water Resource District facilities**

Mr. Engels updated the Board on the discussion he had with the West Fargo Park District Board regarding establishment of a park south of I-94 on the Sheyenne River along Sheyenne Street. They indicated interest in the project, but would prefer to wait due to the proposed reconstruction of Sheyenne Street and to allow more time to work with future development in the area.

### **Water quality – The Lake Friendly Accord**

The Board discussed the importance of water quality and sediment control when designing and maintaining drains in Southeast Cass Water Resource District. Mr. Engels discussed several ways in which the design of drains can promote water quality and sediment control. Manager Yohe discussed *The Lake Friendly Accord*, saying it was created for the betterment of Lake Winnipeg. The Board will discuss the matter further at a future meeting.

### **Weed control**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the Cass County Weed Control Work Order form and to hire Larson Helicopters, LLC, to spray Southeast Cass Water Resource District facilities in 2014. Upon roll call vote, the motion carried unanimously.

### **Application No. S-1907 for the City of Fargo to remove and replace an existing lift station and storm water outfall structure on the Red River in the SE 1/4 of Section 7 in Barnes Township**

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize the Water Resource District Engineer to review and submit any necessary comments regarding *Application No. S-1907* for the City of Fargo to remove and replace an existing lift station and storm water outfall structure on the Red River in the SE 1/4 of Section 7 in Barnes Township. Upon roll call vote, the motion carried unanimously.

### **Utility Permit for Midcontinent Communications to install conduit and fiber optic cable under Drain #10, north of 2nd Avenue North**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the *Utility Permit* for Midcontinent Communications to install conduit and fiber optic cable

under Drain #10, north of 2nd Avenue North, subject to the conditions provided by the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

**Utility Permit for Cass Rural Water Users to install a 14" fresh water line under Drain #9 in Section 2 of Reed Township**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the Utility Permit for Cass Rural Water Users to install a 14" fresh water line under Drain #9 in Section 2 of Reed Township, subject to the conditions provided by the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

**Utility Permit for Cass County Electric Cooperative to install underground power lines under the Sheyenne River in Section 33 of Normanna Township**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the *Utility Permit* for Cass County Electric Cooperative to install underground power lines under the Sheyenne River in Section 33 of Normanna Township, subject to the conditions provided by the Water Resource District Engineer.

**Meeting Procedures, Policies and Practices**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the *Southeast Cass Water Resource District Meeting Procedures, Policies and Practices*. Upon roll call vote, the motion carried unanimously.

**Review of open meeting laws**

Mr. Fredricks reviewed open meeting laws with the Board.

**2015 budget and 2014 maintenance levy assessments**

The Board will discuss the 2015 budget and 2014 maintenance levy assessments at the next meeting.

**2013 Audit**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the 2013 Audit of the Southeast Cass Water Resource District. Upon roll call vote, the motion carried unanimously.

**Bills**

It was moved by Manager Yohe and seconded by Manager Jacobson to approve payment of Checks #11262 through #11279, the electronic funds transfer and the debit card transaction, as presented. Upon roll call vote, the following Managers voted in favor: Jacobson and Yohe. Chairman Brodshaug was absent. Manager Jacobson declared the motion passed.

**Southeast Cass Water Resource District Project Dashboard**

Mr. Engels reviewed the updated Southeast Cass Water Resource District Project Dashboard.

**Precision Network**

Mr. Engels reviewed discussion with Greg Gust of the National Weather Service regarding the possible use of *Precision Weather Solutions* to assist with flood prediction. Mr. Gust is looking into the matter. If *Precision Weather Solutions* is used, other entities will be contacted to help share the cost of the project.

**Adjournment**

There being no further business for the Board to consider, it was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to adjourn the meeting.

APPROVED:

---

Mark Brodshaug  
Chairman

ATTEST:

---

Carol Harbeke Lewis  
Secretary-Treasurer